

Maidencreek Township Board of Supervisor Meeting
March 9, 2006, 7:00 PM

Present: Roy Timpe, Robert Kopfer, Claude Beaver, Stephanie Dake – Roland & Schlegel, Tom Unger – Systems Design Engineering, Inc., Keith Shuman – Public Works Director, Diane Hollenbach – Recording Secretary

Guests: J. Schoellkopf, Fay Isamoyer, Cindy Stump, Paul Martin, Tina Poole, Scott Miller, Gloria Kline, Mary Dymeck, Chris Bradley, Terry Esbenshade, Suzanne and Robert Bishop

Roy Timpe called the March 9, 2006 meeting of the Maidencreek Township Board of Supervisors to order at 7:00 PM in the Maidencreek Township Municipal Building and asked everyone to rise for the Pledge to the Flag.

POLICE REPORT

No officer was present.

PUBLIC COMMENT

Gloria Kline, Lee Spring Road, Blandon stated that the storm drain at Mt. View Road and Lee Spring Road is closed. Keith Shuman agreed to look at it. Chris Bradley stated it is most likely the erosion and sedimentation controls for the Village at Summit Crest Phase 2. The construction of this project is just about done and then the rock filters may be removed from the storm drains. The filters allow water to enter the drains but keep out the silt from construction. Mrs. Kline also asked that when Lee Spring Road is repaired that a lip be installed at the turn so that the water does not run into the field. Tina Poole commented that she had previously brought up this run off problem.

Mary Dymeck, Longleaf Drive, Blandon asked the Supervisors if there were any commercial building plans submitted for the property known as the Schaeffer tract. Mrs. Dymeck stated that at the rezoning hearing for the property, the owner promised upscale housing and commercial development to offset the cost of the additional school enrollment. Fleetwood Area School District has seen an increase of 58 students this year. Mrs. Dymeck questioned if the supervisors were doing anything to attract business to the community. Roy Timpe did not recall that testimony and stated that Pennsylvania law does not allow the Township to force businesses to locate in the township. Perhaps revisions to the Zoning and Subdivision ordinances will make the Township friendlier and more attractive to businesses.

APPROVAL OF THE MINUTES

A motion was made by Claude Beaver, seconded by Robert Kopfer, to approve the January 31, 2006 special meeting minutes of the Maidencreek Township Board of Supervisors. All members voted, "Aye." Motion carried.

A motion was made by Claude Beaver, seconded by Robert Kopfer, to approve the February 9, 2006 regular meeting minutes of the Maidencreek Township Board of Supervisors. All members voted, "Aye." Motion carried.

ENGINEER'S REPORT

Subdivision Status Checklist

Mr. Unger informed the Board that time extensions would be needed on the following plans if no action was taken this evening: Esbenshades Greenhouse and Bishop Subdivision.

Plan Review

Esbenshade Land Development Final Plan – The plan is for the expansion of the existing greenhouse facilities. The Planning Commission recommended approval of the final plans with conditions.

A motion was made by Claude Beaver, seconded by Bob Kopfer, to grant final plan approval to the Esbenshades Greenhouse Final Plan conditional upon Maidencreek Township Authority approval or a letter waiving their review of the plan, the property owner entering into improvements agreements with the township and posting of financial security in a form acceptable to the township. All members voted, "Aye." Motion carried.

Roy Timpe asked Mr. Esbenshade how he found, as a small business, the land development process to add the greenhouse to his property. Mr. Esbenshade stated that he found it confusing to deal with the Township and the Authority. Mr. Esbenshade drilled a well as part of his water resource study and it showed no impact on the surrounding properties. Mr. Esbenshade explained that he wanted to go off the public water system because he will be using a large volume of water to irrigate the plants and the Authority is charging him \$45,000.00 for additional edu usage. This is a lot of money to a small business. The Authority told him it was a business decision on their part. Bob Kopfer stated that the chlorinated water wouldn't be that good for the plants. The Board authorized the solicitor to look at the mandatory hook up ordinance for the water system and the possible modification of the ordinance to allow irrigation from a well.

Village at Summit Crest Annexation Final Plan – tabled at developer's request

Bishop Subdivision – Tom Unger stated that the Planning Commission recommended approval of two requested waivers and preliminary plan approval for the Bishop two lot subdivision. After review of the plan and discussion on the driveway slope, the Board took the following action:

A motion was made by Claude Beaver, seconded by Bob Kopfer, to grant a waiver to Section 504.B of the Maidencreek Township Subdivision and Land Development Ordinance to allow the driveway slope to exceed 7 percent and to grant a waiver to Section 507 of the Maidencreek Township Subdivision and Land Development Ordinance to reduce the number of monuments, so that they are only placed at the intersection of the property lines and the right of way lines. All members voted, "Aye." Motion carried.

A motion was made by Claude Beaver, seconded by Bob Kopfer, to grant preliminary plan approval to the Bishop Subdivision Plan conditional upon addressing the items outlined in the Systems Design Engineering, Inc.'s March 2, 2006 review letter, DEP planning module approval, and correction of plan note 22. All members voted, "Aye." Motion carried.

Village at Summit Crest Phase III Preliminary Plan – Chris Bradley, developer of the Village at Summit Crest, stated that he desires to build a 55 year and older land lease community. He believes it will be an asset to the community. A plan was presented that was different from the approved preliminary plan in the following ways:

- ⓐ Units were removed from the cul de sac and the garages pushed back to create a relatively flat spot for at least two cars to park. The driveways almost meet the 7% grade requirement of the ordinance.
- ⓑ The steep slope has been changed to a 2 to 1 grade. Some units were eliminated and other units were turned parallel with the road. The slope can be stabilized and vegetated and the developer's

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engineer believes that this mitigates the concerns of changing the coefficient for storm water. The geologist dug eighteen to twenty foot pits, the depth of the new proposed cut and did not hit rock. The soil is topsoil, clay, sand and small stone.

- ⓐ The community center was moved to the opposite side of the tract and replaced with three units.
- ⓑ A new additional entrance is proposed. The entrance on the current preliminary plan would remain as an eighteen foot emergency access entrance only. This would eliminate issues of headlights shining into homes across Lee Spring Road.

With these changes, the project reduces the 87 units to 83 units. Mr. Bradley stated that he is at a decision point. The project needs waivers for the following:

- ⓐ Berm height. A fence with wire mesh is proposed around the berm. The berm has a 3 to 1 slope.
- ⓑ Sidewalks. Mr. Bradley interpreted the townships regulations under mobile home parks as allowing him to choose concrete or macadam. Macadam in his opinion is more appropriate because the site is not flat and macadam may be treated with road salt. Bob Kopfer disagreed and felt that concrete would hold up better than macadam.

Diane Hollenbach asked how many waivers this new plan would need. The approved preliminary plan required 12 waivers. Mr. Miller stated that the plan would need the remaining 6 waivers that were requested and the other waivers that were already granted. Mrs. Hollenbach pointed out that if the Township determines that this new plan is significantly different from the approved preliminary plan, the approved preliminary plan will need to be withdrawn. The previously granted waivers only apply to the approved preliminary plan. Mr. Timpe stated that if the Board was willing to grant the waivers previously that it stood to reason that they would grant them again. Mr. Bradley will be submitting the plan for the April Planning Commission meeting.

Projects

Hoch Road Culvert – Tom Unger reported that the bid was being prepared for the culvert project.

Act 537 Plan, Phase 2 – Mr. Unger reported that the amended Act 537 plan was forwarded to the PA DEP. The DEP asked for verification that the Board had authorized the engineer to forward the amendment. The secretary sent a certified copy of the minutes along with a letter to the PA DEP.

Community Park Tot Lot Bids – Bids were opened for the installation of a tot lot in the Community Park. The bid was quoted two ways: with macadam under the safety surface tiles and with concrete under the safety surface tiles. The results were:

Buzz Burger	macadam base-\$26,900	concrete base - \$34,900
Spotts Brothers, Inc.	macadam base-\$45,950	concrete base - \$49,570
Smith & Smith General Contractor	macadam base-\$51,800	concrete base - \$48,500

The Board felt that there was too big a difference between bids and asked the engineer to check that the bidders bid the same work. Keith Shuman asked if a macadam base would be more suited to the site. At this point, the Board was inclined to go with a concrete base.

A motion was made by Claude Beaver, seconded by Bob Kopfer, to accept the bids and authorize the engineer to review the bids. All members voted, "Aye." Motion carried.

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Township Building Roof Bid – The engineer is working on the specifications.
Community Park Pavilion Concrete – The bids will be received in April.

2006 Road Bids – The bids will be received in April.

Subdivision Improvements Agreements and Letter of Credit Reductions

A motion was made by Bob Kopfer, seconded by Claude Beaver, to authorize the Chairman to sign the Subdivision Improvements Agreements and Letter of Credit reduction letters in the amount of \$298,528.19. All members voted, "Aye." Motion carried.

Route 222 Drainage Issue – Claude Beaver asked what this was and if anything was done on this issue. Tom Unger stated that this was the ongoing problem at the Coliseum detention pond that discharges into the state system. The second inlet is attached to a cross pipe that is buried and clogged. Penn Dot has been notified and is not doing anything about the situation.

385 West Walnut Tree Drive – Tom Unger reported that the property was inspected, and a letter drafted, which the solicitor needs to review.

Community Park Parking Area – The Park and Recreation Board recommends using asphalt for the parking area. The supervisors had been interested in pavers with openings to allow water drainage. Keith Shuman pointed out that pavers would not allow lines for spaces to be painted and that once the grass grew in the holes in the pavers, people would not be able to see a clearly defined parking area. Roy Timpe was concerned with adding to the storm water runoff if asphalt were used.

A motion was made by Claude Beaver, seconded by Bob Kopfer, to authorize the township engineer to calculate storm water runoff from the Community Park now and what it would be if an asphalt parking area were added. All members voted, "Aye." Motion carried.

OPERATIONS REPORT

Bedrock Stone & Stuff – Keith Shuman asked if the Board wanted him to do a more in depth inspection of the property. A complaint was received that the owner is hauling in large stone. When questioned, the owner stated he is hauling in 2a modified stone to help with mud control. The Board did not think any further investigation was warranted.

Fork Lift for Backhoe – The Board gave Keith Shuman permission to fabricate forklifts for the backhoe at a cost of \$300.00.

TREASURER'S REPORT

A motion was made by Robert Kopfer, seconded by Claude Beaver, to approve the February 2006 Treasurer's Report and approve the February 2006 Prepaid Bill List. All members voted, "Aye." Motion carried.

SOLICITOR'S REPORT

Rajah Shrine Liquor License and the Riedel Rezoning Hearings have been scheduled for March 30, 2006 beginning at 7:00 P.M.

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Claude Beaver stated and the rest of the Board agreed that the per capita tax repeal and sludge ordinance were to be the highest priority for the solicitor.

RECYCLING

A proposal for a computer and electronic waste recycling day was tabled. The secretary was instructed to check other companies that did similar recycling.

EMERGENCY MANAGEMENT

NIMS – The secretary reported that the township must be compliant with the National Incident Management System by September 30, 2006. The Fire Chief, Dan Miller, is going to a class to become qualified to teach the required NIMS classes. The Board instructed the secretary to give the emergency management coordinator the information.

A motion was made by Claude Beaver, seconded by Bob Kopfer, to authorize the emergency management coordinator to spend time, charged to the township to get up to speed on the NIMS training and requirements. All members voted, "Aye." Motion carried.

NEW AND OLD BUSINESS

Codification – Roy Timpe reported that he contacted Marple Township and they were pleased with their General Code codification. Mr. Timpe stated that the ongoing maintenance seemed obnoxious. Claude Beaver pointed out that it would be worthwhile with the upcoming ordinance changes for zoning and subdivision. The Board was particularly concerned that they own the code. Mr. Timpe instructed the secretary to get a quote in writing for the Code in Word format.

A motion was made by Claude Beaver, seconded by Bob Kopfer, to authorize the solicitor to review the codification contract with General Code. All members voted, "Aye." Motion carried.

Bingo Hall – The Board offered no recommendation.

County Wide Appeals Board – The solicitor is reviewing the documents that need to be adopted to participate.

Executive Session – 9:42 P.M. to 10:15 P.M. for two personnel issues

A motion was made by Bob Kopfer, seconded by Claude Beaver, to end Rita Agnetti's probationary period effective March 6, 2006 and hire her as a full time regular employee in the position of receptionist. All members voted, "Aye." Motion carried.

Since there was no further business, a motion was made by Robert Kopfer, seconded by Claude Beaver, to adjourn the March 9, 2006 meeting of the Maidencreek Township Board of Supervisors. All members voted, "Aye." Motion carried. Meeting adjourned at 10:16 P.M.

Transcribing Secretary

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Cc: Board of Supervisors
Eugene Orlando, Roland & Schlegel, Solicitor
Thomas Unger, Systems Design Engineering, Inc., Township Engineer
Ed Kopicki, Systems Design Engineering, Inc., Planning Commission Engineer
Planning Commission
Park & Recreation Board
Zoning Hearing Board and Alternates
Paul Herbein, Zoning Hearing Board Solicitor
Maidencreek Township Authority
Patrick Donovan, Maidencreek Township Authority General Manager
JoAnn Schaeffer, Maidencreek Township Authority Secretary
Robert Hobough, Jr. Esq., Stevens & Lee, Maidencreek Township Authority Solicitor
Greg Unger, Systems Design Engineering, Inc., Maidencreek Twp Authority Engineer Barbara Hassler, Tax Collector
Daniel Miller, Blandon Fire Company Chief
Chief Scott W. Eaken, Northern Berks Regional Police